

EXHIBIT

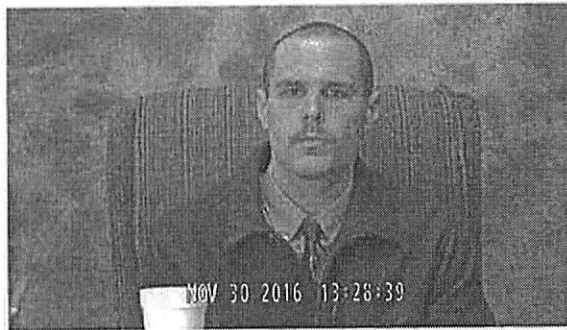
5

In the Matter Of:

KELLI DENISE GOODE vs

CITY OF SOUTHAVEN

2:16-cv-02029-SHM-cgc



JOEL RICH

November 30, 2016



1st in Reporting, 1st in Service, 1st in Technology

We Bridge the State and Cover the Nation!

www.alphareporting.com

800-556-8974

Joel Rich - November 30, 2016

26

1 A. No, sir.

2 Q. You mentioned that he -- he struck the
3 dog?

4 A. Yes.

5 Q. How many times did he strike the dog?

6 A. I don't know specifics, because I was
7 still running towards Mr. Goode and the dog. I -- I
8 can't recall exactly how many times he struck him.

9 Q. Well, was it one or was it more than one?

10 A. I can't recall.

11 Q. After the -- after the dog bit him, did
12 the dog keep biting him or what happened to the dog
13 after that?

14 A. Mr. Goode punched the K-9, the K-9
15 disengaged, and I saw him -- I saw Officer Scallorn
16 continue to give verbal commands. He pulled his
17 taser. Discharged it after giving another verbal
18 command. From my observations of Mr. Goode's
19 actions, the taser had no effect. He showed no body
20 language, anything like that as far as the taser
21 having any good affect.

22 Mr. Goode continued to run. Tripped. I
23 can't recall what -- I don't know what he tripped
24 on, I just saw him trip. And I saw Officer Baggett
25 attempt to handcuff him. At what point Mr. Goode

Joel Rich - November 30, 2016

27

1 resisted extremely, he would not comply at all. It
2 was just incoherent mumbling. And that's when I
3 arrived. When I arrived on, Officer Baggett -- or
4 had Officer Baggett and Mr. Goode and attempted --
5 or assisted Officer Baggett with handcuffing
6 Mr. Goode.

7 Q. Well, let's go that a little -- go through
8 that a little bit more slowly.

9 A. Okay.

10 Q. You said that the dog disengaged?

11 A. Uh-huh (affirmative response).

12 Q. Where did the dog go, did it stay there
13 with Mr. Goode?

14 A. No, sir.

15 Q. And where did it go?

16 A. Officer Scallorn called it back to him,
17 went back to Officer Scallorn.

18 Q. So Officer Scallorn called the dog back?

19 A. The dog went back to Officer Scallorn.

20 Q. You said Officer Scallorn called the dog
21 back, he did that, right?

22 MR. HUSKISON: I think he -- that's not
23 what he said. He said he dog went back to Officer
24 Scallorn. So don't -- you don't need to put words
25 in his mouth. Let him testify.

Joel Rich - November 30, 2016

28

1 A. I'm assuming that Officer Scallorn -- the
2 only reason -- the dog listens to Officer Scallorn,
3 that's his handler, so if he went back, the dog went
4 back to Officer Scallorn.

5 Q. All right. When the dog went back to
6 Officer Scallorn, Officer Scallorn then continued
7 giving commands, right?

8 A. Yes, sir.

9 Q. What did Mr. Goode do, did he continue
10 running westbound?

11 A. He continued to run, I don't recall the
12 direction.

13 Q. Was he running towards you?

14 A. I can't recall the direction.

15 Q. Was he running towards another officer?

16 A. I can't recall the direction.

17 Q. Where was Officer Scallorn at that point?

18 A. He was with his K-9 partner still giving
19 verbal commands to Mr. Goode which were being
20 ignored.

21 Q. Was he still in the same location that you
22 indicated on that drawing?

23 A. Approximately.

24 Q. And you mentioned that Mr. Goode had --
25 had been running. Could you mark with a -- I don't

Joel Rich - November 30, 2016

29

1 know how to mark this one. Could you put a No. 2
2 where the dog --

3 MR. McCORMACK: Or did we use K-9 last
4 time?

5 MR. HUSKISON: We didn't use K-9.

6 BY MR. McCORMACK:

7 Q. Use K-9 where the dog apprehended, bit
8 Mr. Goode.

9 A. (Witness complies).

10 Q. You wrote that just about on the same X,
11 right?

12 A. Generalized location, yes, sir.

13 Q. And you said that after Mr. Goode was
14 bitten by the dog, he continued running. What
15 direction did he run in that time?

16 A. I can't recall.

17 Q. You said that he eventually tripped but
18 you couldn't tell what he tripped on. It's true
19 that he tripped immediately after being hit with the
20 taser, right?

21 A. No, sir.

22 Q. No? It was how long after being hit with
23 the taser did he trip?

24 A. I don't know exact times.

25 Q. Where was he hit with the taser, where on

Joel Rich - November 30, 2016

30

1 his body?

2 A. I don't remember. I can't recall.

3 Q. Was he hit on the arm?

4 A. I can't recall.

5 MR. UPCHURCH: I'm sorry?

6 THE WITNESS: I can't recall where he was
7 hit.

8 MR. UPCHURCH: Thank you.

9 BY MR. McCORMACK:

10 Q. Did other officers have their tasers out
11 or was Officer Scallorn the only one?

12 A. I can't recall. I wasn't looking at other
13 officers.

14 Q. Did you have yours out?

15 A. No, sir.

16 Q. You said that Mr. Goode tripped, where was
17 he when he tripped?

18 A. Approximate location in the field.

19 Q. That same spot where the X is?

20 A. Around that area, yes, sir.

21 Q. After Mr. Goode was on the ground, you
22 said that you went over to try to help handcuff him.
23 Who was the first officer to reach him?

24 A. Officer Baggett.

25 Q. Did Officer Baggett call you over?

Joel Rich - November 30, 2016

31

1 A. No, sir.

2 Q. You were going over there on your own,
3 right?

4 A. I was assisting an officer.

5 Q. All right. What was the first thing that
6 Officer Baggett did when he got to Troy?

7 A. Attempted to put handcuffs on him.

8 Q. How did he attempt to, did he grab his
9 arm, did he put a hand on his back? What was the
10 first thing that he did?

11 A. I don't recall exactly what he did.

12 Q. Mr. Goode had fallen forward, right?

13 A. Yes, sir.

14 Q. So he was on his stomach at this point?

15 A. As I recall, yes, sir.

16 Q. And when you went over to help assist in
17 handcuffing him, what did you do?

18 A. Upon arriving, I saw Officer Baggett
19 attempting to handcuff him. Mr. Goode was not
20 complying at all with numerous verbal commands. He
21 was attempting to fight. He was trying to roll,
22 best I can describe it, it was like an alligator, he
23 just tried to roll on his side.

24 So I came up, and I believe Officer
25 Baggett had got the left handcuff on him. And

Joel Rich - November 30, 2016

32

1 Mr. Goode, best I can recall, had his arm tucked up
2 underneath. He would not comply with any orders.
3 So I put my right knee on the ground beside
4 Mr. Goode supporting my weight, all my weight. Put
5 my left knee on Mr. Goode's butt to keep him from
6 rolling and attempted to grab Mr. Goode's right arm
7 to give it to Officer Baggett so we could handcuff
8 him.

9 Q. So it's your testimony that you put your
10 knee on Mr. Goode's body, right?

11 A. On his butt, and my right knee was
12 supporting my weight, that was my left knee.

13 Q. Okay. So you were trying to use your --
14 your knee to help control his lower body, right?

15 A. No, sir, I was trying to keep him from
16 rolling.

17 Q. Right. So you were trying to use your
18 knee to keep him -- to control his lower body to
19 keep him from rolling?

20 A. With no weight on it, yes, sir.

21 Q. How do you keep somebody from rolling
22 without applying any weight to them?

23 A. You keep them from rolling.

24 Q. So it's your testimony that you didn't
25 apply any weight to him, but you were managing to

Joel Rich - November 30, 2016

33

1 keep him from rolling, or trying to, with your knee
2 on his butt?

3 A. On his butt.

4 Q. All right. And then you grabbed his right
5 arm?

6 A. Yes, sir.

7 Q. And pulled it around behind him to
8 handcuff him, right?

9 A. Yes, sir.

10 Q. Where was Officer Baggett, was he
11 standing, was he kneeling? What position was he in?

12 A. I can't recall. He was beside me, I can't
13 recall if he was standing or kneeling or sitting or
14 anything.

15 Q. Did he have -- what was he using to
16 control Mr. Goode's left hand, was he using his own
17 hand, did he have it pinned under his knee? How was
18 he controlling it?

19 A. I can't recall.

20 Q. Do you recall him putting his hand on
21 Mr. Goode's back?

22 A. I can't recall. If it happened it was a
23 very, very short period of time. I can't recall.

24 Q. All right. So you don't recall how he was
25 controlling his left arm, but somehow he was

Joel Rich - November 30, 2016

34

1 controlling his left arm; is what you're telling us?

2 A. Yes, sir.

3 Q. Okay. And you were controlling his right
4 arm?

5 A. Yes, sir.

6 Q. And you managed to get him handcuffed,
7 right?

8 A. After a struggle, yes, sir.

9 Q. Were there any other officers assisting
10 you with getting him handcuffed?

11 A. What else was -- what else was occurring,
12 my attention was on Mr. Goode. I don't recall who
13 was around me besides Officer Baggett was beside me.
14 I never -- I don't -- I didn't look around, my
15 attention was on Mr. Goode.

16 Q. So you don't know where Mr. Price was when
17 you were handcuffing Mr. Goode?

18 A. No, sir.

19 Q. Do you know what Officer Scallorn was
20 doing?

21 A. No, sir.

22 Q. Once you managed to get Mr. Goode
23 handcuffed, he was on his stomach, right?

24 A. Yes, sir.

25 Q. And as I understand it, Officer Scallorn

Joel Rich - November 30, 2016

35

1 went and got a pair of leg shackles from his SUV,
2 right?

3 A. I don't know who retrieved the leg
4 shackles.

5 Q. At some point, leg shackles were provided
6 to -- were you handed leg shackles or were they
7 handed to Officer Baggett?

8 A. I can't recall who was handed leg
9 shackles. They were not handed to me.

10 Q. One of the officers was handed leg
11 shackles, right?

12 A. Yes, sir.

13 Q. Did you assist in putting the leg shackles
14 on Mr. Goode?

15 A. No, sir.

16 Q. What were you doing when the leg shackles
17 were put on Mr. Goode?

18 A. Attempting to restrain Mr. Goode from
19 rolling off and fighting.

20 Q. And how were you attempting to keep him
21 from rolling?

22 A. Physically holding him down.

23 Q. What part of his body were you holding
24 down?

25 A. At that point, his shoulders.

Joel Rich - November 30, 2016

36

1 Q. All right. Were you doing that with your
2 hands or your knee or some other part of your body?

3 A. Hands. I was on the knee to the side of
4 him and had my hands on his shoulders to keep him
5 from rolling.

6 Q. Did you still have your knee on his butt
7 to keep him from rolling?

8 A. No, sir, both knees on the ground.

9 Q. So you shifted up and you put your hands
10 on his shoulders?

11 A. Yes, sir, with both knees on the ground.

12 Q. Okay. Were there any other officers
13 helping you to keep him from rolling?

14 A. I can't recall that. I guess my attention
15 was on Mr. Goode. I know there were other officers
16 attempting to put leg shackles on.

17 Q. Were there any other officers -- how many
18 other officers were attempting to put leg shackles
19 on him?

20 A. I couldn't -- couldn't tell you a number.

21 Q. Well, was it one or was it more than one?

22 A. I can't give you a number. I'm not sure.

23 Q. You mentioned that there were other
24 officers on the scene. You're holding him down to
25 keep him from rolling and someone is applying leg

Joel Rich - November 30, 2016

37

1 shackles.

2 A. Yes, sir.

3 Q. Do you know who was applying leg shackles?

4 A. I don't know.

5 Q. Do you know any of the people who were
6 applying leg shackles?

7 A. I do not.

8 Q. Was Officer Baggett still there? I'm
9 sorry, just for me is it Baggett or Baggett?

10 A. Baggett.

11 Q. I've been saying it wrong the whole time.

12 MR. GASS: The other one you eat.

13 MR. McCORMACK: I was trying to be fancy
14 about it.

15 MR. GASS: Like going to Target.

16 BY MR. McCORMACK:

17 Q. Was Officer Baggett still attempting to
18 help you in restraining him?

19 A. I can't recall. My attention was on
20 Mr. Goode while they were attempting to put leg
21 shackles on him to stop him from kicking.

22 Q. Do you remember anything about who was
23 putting leg shackles on him at that point?

24 A. No, sir, I didn't look back.

25 Q. Do you have any idea what any of the other

Joel Rich - November 30, 2016

38

1 officers were doing who were there on the scene?

2 A. No, sir. I was -- I was doing what I was
3 attempting to do, my attention was on Mr. Goode and
4 keep him from rolling in the middle of Goodman Road
5 or running into the crowd of people that had
6 gathered in the parking lot.

7 Q. Did you see -- well, let me ask you this.
8 You know that somebody was putting leg shackles on
9 him, right?

10 A. Yes, sir.

11 Q. After the leg shackles were on him, who
12 was there, who was standing there with him?

13 A. I said my attention was on Mr. Goode.

14 Q. And now what you've told me so far is that
15 you went over to Mr. Goode when he was face down,
16 tried to control him from rolling, put handcuffs on
17 him, and then someone put leg shackles on him?

18 A. There was a brief period of time between
19 the handcuffs and the leg shackles which Mr. Goode
20 was actively fighting, attempting to kick.
21 Continued to not follow any verbal orders. There
22 was no compliance at all. There was incoherent
23 mumbling, rambling, cussing.

24 Q. Now, isn't it true that when he was
25 handcuffed, someone stood him up?

Joel Rich - November 30, 2016

39

1 A. I attempted to, to take him to the car.

2 Q. When you stood him up, was someone helping
3 you to stand him up?

4 A. Someone was, I can't recall who it was.

5 Q. You mentioned that Officer Baggett had
6 helped you -- helped you to handcuff him. Was
7 Officer Baggett there with you still?

8 A. I can't recall who it was.

9 Q. Eventually you had to take Mr. Goode back
10 down to the ground. Did you do that alone or did
11 someone help you?

12 A. While attempting to get Mr. Goode to the
13 back of the car, EMS was still -- we had still
14 called for EMS to come. I had noticed a large crowd
15 gathering in the parking lot, little kids running
16 around, and I didn't want Mr. Goode to somehow get
17 loose and run into the crowd. So I put him in the
18 back of the car until EMS arrived and, you know,
19 stay with him in the back of the car just for his
20 safety and for the safety of others.

21 And on standing him up, he started trying
22 to jerk away and run. I decided that wasn't -- that
23 wasn't safe, so we went back -- we went back down.

24 Q. You said we went back down. Did someone
25 help you to get him back down or did you do it

Joel Rich - November 30, 2016

40

1 alone?

2 A. I can't recall.

3 Q. Officer Rich, is there -- I know that
4 you're sick right now. Are you on any kind of
5 medication that would impair your ability to
6 remember what happened on July 18th, 2015?

7 A. No, sir.

8 Q. Are you on any kind of medication that
9 would prevent you from recalling and answering
10 questions here today?

11 A. No, sir.

12 Q. You said that you don't recall whether
13 someone helped you to take him back down. After
14 Mr. Goode was back down on the ground, that's when
15 leg shackles were applied, right?

16 A. Yes, sir.

17 Q. How did you take him back down to the
18 ground?

19 A. We went back down to the ground, we took
20 him back down. It wasn't a violent slam, it was
21 just we went back down to the ground. I don't know
22 how to explain it.

23 Q. His hands were handcuffed behind him,
24 right?

25 A. Yes, sir.

Joel Rich - November 30, 2016

41

1 Q. And when he went back down on the ground,
2 he ends up face down, right?

3 A. Yes, sir. We tried to roll him on his
4 side for a brief period of time, but he started to
5 spit and continued to kick.

6 Q. Now you said, we tried to roll him on his
7 side; when was that?

8 A. At some point during -- after we went back
9 down.

10 Q. Okay. So after he was down on the ground,
11 he was face down and you tried to roll him on his
12 side?

13 A. Yes, sir.

14 Q. So when you took him down to the ground --
15 strike that.

16 Sir, how much do you weigh as you sit here
17 today?

18 A. Somewhere around 2- -- 220 pounds.

19 Q. Were you about the same weight back July
20 18th, 2015?

21 A. Yes, sir.

22 Q. About how tall are you?

23 A. Six-one.

24 Q. After the shackles were put on Mr. Goode,
25 the shackles were attached to the handcuffs, right?

Joel Rich - November 30, 2016

72

1 MR. SMITH: Yes. I'm a little longwinded,
2 bear with me.

3 MR. McCORMACK: Let's limit the speaking
4 objections, if we can.

5 BY MR. McCORMACK:

6 Q. Given that information that we saw in the
7 law enforcement officers training materials, you
8 wouldn't turn him on his side so that he could
9 breathe?

10 A. We attempted to.

11 MR. HUSKISON: Object to the form.

12 A. Every time it was attempted to turn
13 Mr. Goode on his side he continued to roll. And
14 Mr. Goode showed no signs of being able to -- any
15 struggles to breathe, he continued to yell the
16 entire time.

17 BY MR. McCORMACK:

18 Q. I asked you in the -- in the ambulance you
19 didn't try to turn him on his side, did you?

20 A. In the ambulance, no, sir.

21 Q. Given what we read, don't you think that
22 maybe you should turn him on his side in the
23 ambulance?

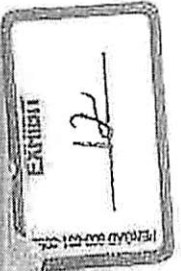
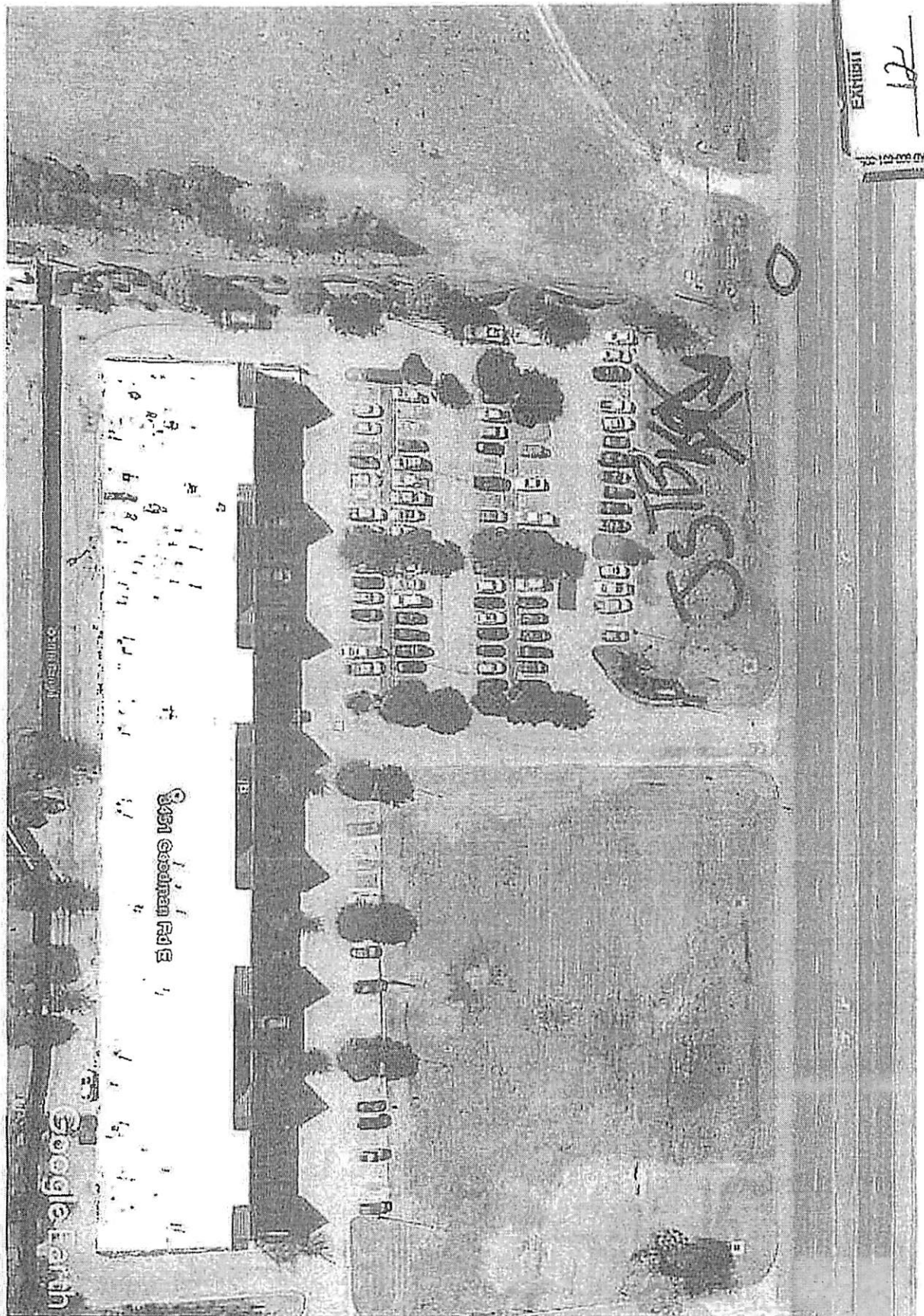
24 A. Not while she was trying to work on him.

25 Q. You mentioned that he was still face down

Go. gle Earth

feet
meters

100 400





To: Lt. Woods

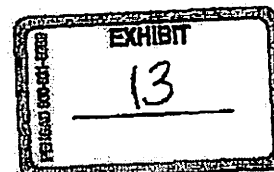
From: Ofc. Joel Rich #1350

Date: 7/19/15

Subject: Troy Charlton Goode

Sir,

On July 18th, 2015, at approximately 7:45 PM (1945 hours) I, Officer Rich, was dispatched to 3451 Goodman Rd E regarding a disturbance. Officer BAGGETT and K-9 Officer SCALLORN were already on scene upon my arrival, and DUI Officer PRICE was arriving on scene at the same time I was. I observed Officer SCALLORN'S K-9 engaging an individual (later identified as TROY CHARLTON GOODE w/m dob; 8/21/84) who was running in circles in the grass in front of 3451 Goodman Rd E and Mr. GOODE repeatedly striking the K-9. I observed Officer SCALLORN deploy a Taser on Mr. GOODE due to him repeatedly striking the K-9, but was unsuccessful due to only one taser prong connecting with Mr. GOODE. I then observed Mr. GOODE attempt to flee on foot again after Officer SCALLORN called his K-9 back to his vehicle, but in his attempt to flee Mr. GOODE tripped and fell. Due to Mr. GOODE tripping, Officer BAGGETT was able to attempt to place handcuffs on Mr. GOODE to detain him. I observed Mr. GOODE resisting Officer BAGGETT'S attempt to place handcuffs on him, at which point I assisted Officer BAGGETT in placing handcuffs on Mr. GOODE. Mr. GOODE was not complying with any verbal orders, was continuing to be extremely resistive, and appeared to be heavily under the influence of a narcotic or alcohol. I was then told by Officer BAGGETT that Mr. GOODE'S wife (KELLI DENISE GOODE w/f DOB; 4/16/84) stated that Mr. GOODE had taken 3-5 drops of LSD along with 3-4 other unknown



000018

Individuals. Due to Mr. GOODE being heavily under the influence of a possible narcotic and also the close proximity to Goodman Rd, I felt it was necessary to physically restrain Mr. GOODE for his own safety. EMS was notified to come to the scene immediately after Mr. GOODE was placed in handcuffs by Officer BAGGETT or Officer SCALLORN, to evaluate his condition and provide necessary medical treatment. I observed a small crowd of individuals had gathered in the parking lot and were watching the incident occur. I also observed there to be several young children in the small crowd. I made the decision to attempt to place Mr. GOODE in the back of Officer BAGGETT'S patrol unit to remove him from possibly being a threat to himself or others, due to the fact that the entire time I was physically restraining Mr. GOODE he was attempting to kick and scratch me, as well as other officers, and had become increasingly more resistive and infuriated. I also observed Mr. GOODE starting to scream incoherently and seemed to be speaking with someone that was not there. I notified Mr. GOODE that I was going to place him in the back of a patrol unit and lifted Mr. GOODE to his feet. Upon attempting to escort Mr. GOODE to a patrol unit he became extremely resistive and was attempting to pull away from me. I then physically took Mr. GOODE back to the ground to restrain him due to the fact that I did not want Mr. GOODE to pull free and possibly become a threat to him or the individuals that were in the parking lot. Mr. GOODE again began to attempt to kick at me and other officers so a decision was made to place leg shackles on Mr. GOODE to prevent him from possibly harming an officer or himself. The leg shackles were placed on Mr. GOODE'S left ankle and the remaining shackle was looped through the handcuffs and then placed on Mr. GOODE'S right ankle. Mr. GOODE was still able to maintain a level of movement while wearing the leg restraints. EMS arrived and evaluated Mr. GOODE and stated he needed to be transported to Baptist Desoto to receive additional care for his possible drug usage. EMS personnel stated that Mr. GOODE needed to stay in restraints due to his extreme incoherence and restiveness and requested two officers to ride with the ambulance to Baptist Desoto. Officer BAGGETT and I rode with Mr. GOODE and EMS personnel to Baptist Desoto and during the transport I observed Mr. GOODE become even more agitated as he began to curse and scream incoherently and attempted to get out of the restraints several times while EMS personnel began to give medical

assistance to Mr. GOODE. Mr. GOODE appeared to be hallucinating very strongly based on him speaking to and about objects that were not there and he appeared to also be interacting with people and objects that were not in the surroundings. The ambulance arrived at Baptist Desoto and Mr. GOODE was taken into the emergency room where he continued to appear to be hallucinating very strongly and began to scream profanity very loudly. Mr. GOODE was taken away from the waiting area of the emergency room and placed in a separate room to be evaluated by medical personnel, due to him screaming profanity and causing a disruption which was upsetting some of the other patients in the emergency room. Once it was confirmed that Mr. GOODE was secure, I was taken back to the scene by Officer BOND to drive Officer BAGGETT'S patrol unit to Baptist Desoto so it would be there when Officer BAGGETT, who stayed with Mr. GOODE at Baptist Desoto, needed it. I drove Officer BAGGETT'S patrol unit back to Baptist Desoto and went inside where I gave him his keys. I located Officer BAGGETT and Mr. GOODE in room 9 where I observed Mr. GOODE appear to still be hallucinating very heavily and screaming incoherently to objects that were not in the room. I gave Officer BAGGETT his keys and returned to Officer BOND'S patrol unit to be escorted back to my own patrol unit, which was still located at 3451 Goodman Rd E. I arrived back at my vehicle and notified dispatch that I was back in service. Later that night I was informed by Officer BOND that Mr. GOODE had passed away at the hospital.